



**Alton Coal Development, LLC**

463 North 100 West, Suite 1

Cedar City, Utah 84720

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C/025/005 Incoming

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CC: Joe

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DIV. OF OIL, GAS & MINING

May 21, 2013

Daron R. Haddock  
Coal Program Manager  
Oil, Gas & Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, UT 84114-5801

Subject: **Request for Modification of Treatment Plan, Coal Hollow Project, Kane County, Utah, C/025/0005**

Dear Mr. Haddock,

Both the "Cultural Resource Management Plan for Alton Coal Development's Proposed Development Of The Alton Amphitheater and Sink Valley" (which was never finally officially approved by all required parties) and the "Alton Coal Development's Phase I Cultural Resources Treatment Plan for Data Recovery at 42KA6093 and 42KA6505, and Avoidance at 42KA1313, 2KA2041, 42KA2043, 42KA6109, 42KA6110 and 42KA6126, Kane County, Utah" ( Approved by DOGM and SHPO) identify that site 42KA2041 will be avoided.

At this time the portion of site 42KA2041 that falls on the private Coal Hollow tract will no longer be possible to avoid. Alton Coal Development, LLC (ACD) is requesting modification to the treatment plan for this private portion of the site (not the full site) to undergo "Level I Mitigation" as described in the approved "Alton Coal Development Phase I Cultural Resource Treatment and Data Recovery Plan". A revised treatment plan for 42KA2041 will be prepared and submitted to the proper agencies for review and approval upon acceptance of this request.

Please do not hesitate to contact me if you have any questions. I can be contacted at (435) 691-1551.

Sincerely

B. Kirk Nicholes  
Environmental Specialist